

**IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH.**

Crl. Misc. No. 12415-M of 2007

DATE OF DECISION : 27.02.2007

Santokh Singh and others

.... PETITIONERS

Versus

State of Punjab and others

..... RESPONDENTS

CORAM :- HON'BLE MR. JUSTICE SATISH KUMAR MITTAL

Present: Mr. S.L. Chander Shekhar, Advocate,
for the petitioners.

The petitioners have filed this petition under Section 482 of the Code of Criminal Procedure for issuing direction to respondents No.1 to 4 to register a criminal case against respondents No.5 to 14 on the basis of complaint made by them to the police.

I have heard counsel for the petitioners and gone through the contents of the petition as well as the complaint, on the basis of which registration of case is being sought.

In this case, Karam Chand was owner of the land and before his death, he executed a registered gift deed in favour of his widow daughter-in-law and grand-son (respondents No.6 and 7 herein) on 18.12.2006. Subsequently, he died on 25.12.2006. When respondents No.6 and 7 became owners of the land on the basis of the gift deed, they executed sale deed with regard to the same land. The petitioners are the other legal representatives of deceased Karam Chand. From the reading of the petition as well as the complaint, it appears that the dispute is purely of civil nature and I do not find the instant case as exceptional case where this court should exercise its inherent power under Section 482 Cr.P.C., as in my opinion, the petitioners have alternative remedy, as has been held by this Court in

***Mithlesh Kumari* v. *State of Punjab*, 2002 (4) RCR (Criminal) 541 and by
Crl. Misc. No. 12415-M of 2007** -2-

the Hon'ble Supreme Court in ***Gangadhar Janardan Mhatre* v. *State of Maharashtra and others***, (2004) 7 SCC 768 and ***Minu Kumari and another* v. *State of Bihar and others***, (2006) 4 Supreme Court Cases 359.

Dismissed.

February 27, 2007
ndj

(SATISH KUMAR MITTAL)
JUDGE